

439.177 Parole privileges for certain misdemeanants -- Duties of sentencing judge.

- (1) Any misdemeanor may petition the sentencing court for parole privileges.
- (2) The sentencing judge shall study the record of all persons petitioning for parole and, in his discretion, may:
 - (a) Cause additional background or character information to be collected or reduced to writing by the Department of Corrections;
 - (b) Conduct hearings on the desirability of granting parole;
 - (c) Impose on the parolee the conditions he sees fit;
 - (d) Order the granting of parole;
 - (e) Issue warrants for persons when there is reason to believe they have violated the conditions of their parole and conduct hearings on such matters;
 - (f) Determine the period of supervision for parolees, which period may be subject to extension or reduction;
 - (g) Grant final discharge to parolees.
- (3) The sentencing judge shall keep a record of his acts, and shall notify the appropriate jail official of his decision relating to the persons who are or have been confined therein.
- (4) When an order for parole is issued, it shall recite the conditions thereof, and such orders shall be transmitted to the Department of Corrections.
- (5) The period of time spent on parole shall not count as a part of the prisoner's maximum sentence except in determining the parolee's eligibility for a final discharge from parole as set out in subsection (7).
- (6) Paroled prisoners shall be under the supervision of the department and subject to its decision for the duration of parole. Supervision of the parolee by the Department of Corrections shall cease at the time of recommitment of the prisoner to the jail as a parole violator, or at the time a final discharge from parole is granted by the sentencing judge.
- (7) When any paroled prisoner has performed the obligations of his parole during his period of active parole supervision, the sentencing judge may, at the termination of a period to be determined by the sentencing judge, issue a final discharge from parole to the prisoner. Unless ordered earlier by the sentencing judge, a final discharge shall be issued when the prisoner has been out of jail on parole a sufficient period of time to have been eligible for discharge from jail by maximum expiration of sentence had he not been paroled, if before this date he had not absconded from parole supervision or that a warrant for parole violation had not been issued.
- (8) The prisoner convicted of a misdemeanor and released on parole under the provisions of this statute shall be subject to all reasonable Department of Corrections regulations.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 211, sec. 88, effective July 14, 1992. -- Amended 1982 Ky. Acts ch. 344, sec. 35, effective July 15, 1982. -- Amended 1978 Ky. Acts

ch. 200, sec. 9, effective January 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 446, effective January 2, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 24(14). -- Created 1972 Ky. Acts ch. 294, sec. 1.